PETITION FOR ZONING VARIANCE 85-76-7 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a 1802.38 217.5(301.1) to permit a projection of 10' in lieu variance from Section 217.5(301.1) of the permitted 6.25' See previous case 78-49-A

of the Zoring Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) I have Been saving to Repeats to be able to builk a keck & sit outside of house without sifting on Lawn of sidewalk. It will add to the value & attractives of house. It will fit more with the surrounding homes that already have sundecks.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: 50 F Wing Dr. (301) 8334509

Attorney's Telephone No.: 50 Ewing Dr. (30) 833-4509 ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of ___July____, 19_24_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 17th day of September 19.84, at 10:00 o'clock __A._M.

tract purchaser or representative to be contacted

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this

ACNOLD JABLON Zoning Commissioner

Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTYS ZONING PLANS ADVISORY COMMITTEE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

Date__Sectember 5, 1984

Norman E. Gerber, Director FROM Office of Planning and Zoning

NEG/JGH/sf

Zoning Petition Nos. 85-70-A, 85-74-A, 85-75-A, SUBJECT 85-76-A, 85-77-A, 85-80-A, 85-81-A, and 85-85-A

There are no comprehensive planning factors requiring comment on these petitions.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 2120

M's. Abby Ellen Meister 50 Ewing Drive eisterstown, Maryland 21136

> RE: Case No. 85-70-A (Item No. 9)
> Petitioner - Abby Ellen Meister Variance Petition

Dear M's. Meister:

Bureau of Fire Prevention Bealth Department Project Planning

Building Department Board of Education Zoning Administration

Engineering

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the approtateness of the zoning action requested, but to assure regard to the development plans or problems with this case. The Director of Planning may file a written as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the Otherwise, any comment that is not informative will be filing on the date of the enclosed filing certificate and a

Very truly yours, Michello B. Commadaufya

NICHOLAS B. COMMODARI Chairman

Zoning Plans Advisory Committee

Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

August 24, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #9 (1984-1985) Property Owner: Abby Ellen Meister 74' N. Ewing Dr. 317.7' N/W Hammershire Rd. Acres: Quad A of Building P-14, 6-74 District: 4th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

Public facilities are not involved; this office has no comment.

GILBERT S. BENSON, P.E., Asst. Chief Bureau of Public Services

GSB:EAM:FWR:ss

T-NW Key Sheet 54 NW 36 Pos. Sheet NW 15 J Topo 58 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204 NORMAN E. GERBER DIRECTOR

> Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

8-3-84

Re: Zoning Advisory Meeting of 7-31-84 Item 19
Property Owner: Abby Ellow Meister
Location: M. of Ewing Dr.
Nwof Hobumershire Rd.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

 ()There are no site planning factors requiring comment.
 ()A County Review Group Meeting is required.
 ()A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
 ()This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
 ()A record plat will be required and must be recorded prior to issuance of a building permit.
 ()The access is not satisfactory.)The access is not satisfactory.
)The circulation on this site is not satisfactory. The parking arrangement is not satisfactory.

Parking calculations must be shown on the plan.

This property contains soils which are defined as wetlands, and

development on these soils is prohibited.

Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
)Development of this site may constitute a potential conflict with the Baltimore County Master Plan.)The amended Development Plan was approved by the Planning Board

)Landscaping should be provided on this site and shown on the plan.
)The property is located in a deficient service area as defined by
Bill 178-79. No building permit may be issued until a Reserve
Capacity Use Certificate has been issued. The deficient service

The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.)Additional comments:

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS DIRECTOR

July 27, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Item No. 9, 17, 18, 19, and 21 ZAC-Meeting of July 31, 1984 Property Owner: Location: Existing Zoning: Proposed Zoning:

District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 9, 17, 18, 19, and 21.

Traffic Engineering Assoc. II

PITITION FOR SORING VARIANCE

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this ————

to be able to built the state of the control of the forms that check to the first of the sound to the state of the state of the sound to the state of the state of the state of the sound to the state of the state o

____, 19_____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

August 14, 1984

Zoning Agenda: Meeting of July 31, 1984

Mr. Arnold Jablon Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Abby Ellen Meister

Location: 74' N. Ewing Drive 317.7' N/W Hammershire Road

Item No.: 9

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Cast One 11 Tolly 6-15-19 Approved:

Planking Group F.

Special Inspection Division

JK /m⅓cm

DATE

TED ZALESKI, JR.

August 29, 1984

Abby Ellen Meister
74' d. Ewing Drive 317.7' N/W Hammershire Road
D.R. 16 Variance to permit a projection of 10' in lieu of the required 6.25'.

Acres: Quad A of Building P-14, 6-74
District: hth.

miscellaneous

| B | A building | & other | permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

Commercial: Three sets of construction drawings with a Maryland Registered rehitect or Engineer shall be required to file a permit application.

An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure

Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

Comments - Deck shall be designed to support a 60# live load plus dead loads, railings, etc. shall comply to Baltimore County Building Code noted above.

mitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Hoom 122 (Plans Review) at 111 W. Chesapeake Ave.,

- 3 **-**

Beginning 74' N of Ewing Dr. 317' NW of Hammershire Rd. (50 Ewing Dr.), 4th District

OF BALTIMORE COUNTY

ABBY ELLEN MFISTER, Petitioner Case No. 85-70-A

:::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the

above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204

I HEREBY CERTIFY that on this 29th day of August, 1984, a copy of the foregoing Entry of Appearance was mailed to Abby Ellen Meister, 50 Ewing Drive, Reisterstown, MD 21136, Petitioner.

IN RE: PETITION ZONING VARIANCE Beginning 74' N of Ewing Drive, 317' NW of Hammershire Road (50 Ewing Drive) -

4th Election District

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Abby Eller Meister, Case No. 85-70-A Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a projection of ten feet instead of the required 6.25 feet in order to complete the addition of a deck to her home, as shown on Petitioner's Exhibit 1.

The Petitioner appeared and testified and was represented by Counsel. There were no Protestants.

The Petitioner owns a quadrennium located in a D.R.16 Zone and began construction of a deck without a permit. Upon being told that a permit was necessary, the Petitioner discovered that this variance was required as well. The 10' x 15' unenclosed deck will project as indicated above.

It should be noted that other owners, including the immediate neighbor. have constructed decks. See Petitioner's Exhibits 4 through 9. Additionally, the Board of Directors of Brookshire II, on behalf of the Condominium Associahas approved the construction of the deck. See Petitioner's Exhibit 2.

area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLeat v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area

the petitioner must meet the following: whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted

> whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief: and

purpose or render conformance unnecessarily burdensome;

0

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this ______ day of September, 1984, that the Petition for Zoning Variance to permit a projection of ten feet instead of the required 6.25 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

cc: David K. Bowersox, Esquire People's Counsel

PETITION FOR VARIANCE 4th Election District

ZONING:

Petition for Variance

LOCATION:

Beginning 74 ft. North of Ewing Drive, 317 ft. Northwest of Hammershire Road (50 Ewing Drive) DATE & TIME: Monday, September 17, 1984 at 10:00 A.M.

PUBLIC HEARING:

Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a projection of 10 ft. in lieu of the permitted 6.25 ft. (See previous Case No. 78-49-A)

Being the property of Abby Ellen Meister, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said

permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the

BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

- 2 -

JAN 5 1 1965

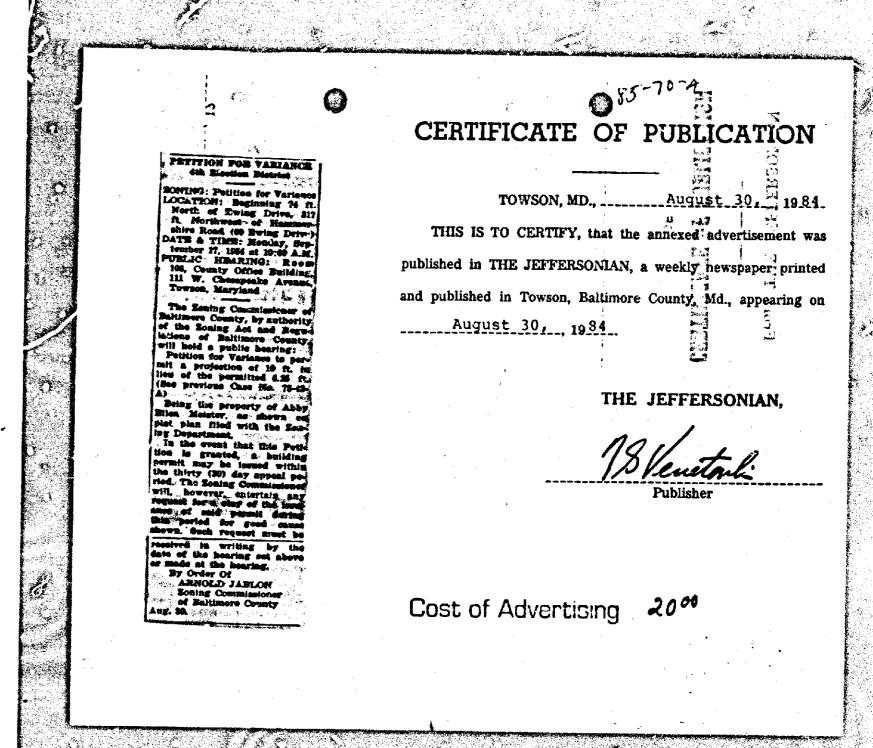
The same of the sa

ARNOLD JABLON ZONING COMMISSIONER Ms. Abby Ellen Meister 50 Ewing Drive Dear Ms. Meister: of the above property. BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT RECEIVED Abby E. Meister

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 September 11, 1984 Reisterstown, Maryland 21136 Petition for Variance
Beg. 74' N of Ewing Dr. 317' NW of
Hammershire Rd. (50 Ewing Drive)
Abby Ellen Meister - Petitioner Case No. 85-70-A This is to advise you that \$51.33 is due for advertising and posting This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing. Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing. No. 134339 OLD JABLON ng Commissioner PATE September 17. 1984 ACCOUNT R-01-615-000 FOR: Advertising and Posting Case No. 85-70-4 6 844.000051331a \$174F CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 85-70-A

ZONING DESCRIPTION Beginning at a point approximately 74 feet north of Ewing Drive and said point in Ewing Drive located approximately 317'7" northwest of Hammershire Road and known as Quad A of building P-1¢ which is recorded in land records of Baltimore County , E.H.K., JR.6, folio 74. Also known as 50 Ewing Drive.

Time: 1:50 pm. Time: 2:00 - 2:20 X 1.) 56 Ewing Dr. #15+16 8' X 12' Ewing An. 1) 53 Fox Run Cf # 647 12' X 7'7"



August 22, 1984 Me. Abby Ellen Meister 50 Ewing Drive Reisterstown, Maryland 21136 NOTICE OF HEARING Date of Posting August 31-84 Re: Petition for Variance
Beg. 74° H of Ewing Dr., 317° NW of
Hammershire Road (50 Bwing Drive)
Abby Ellen Heister - Petitioner
Case No. 85-70-A Petitioner: Abby Clen Inlister

Location of property: Beg. 74' N of Escing Duri 317'NW of

Thammershire Road (50 Civing Duri) TIME: 10:00 A.M. Location of Signs: On front of # 50 Giving Drine DATE: Monday, September 17, 1984 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland SNDMARK COMMUNITY NEWSPEERS OF MARYLAND, INC.

4th Election District

Westminster, Md.,Aug. 3019.84.

for.....one...(1)......ssucressixectvocks/days previous

South Carroll Herald, a weekly newspaper published

Community Times, a weekly newspaper published

K COMMUNITY NEWSPAPERS OF MARYLAND, INC.

S TO CERTIFY that the annexed Petition For Variance

.....day of August, 1984 in the Carroll County Times, a daily newspaper published

in Westminster, Carroll County, Maryland.

in Eldersburg, Carroll County, Maryland.

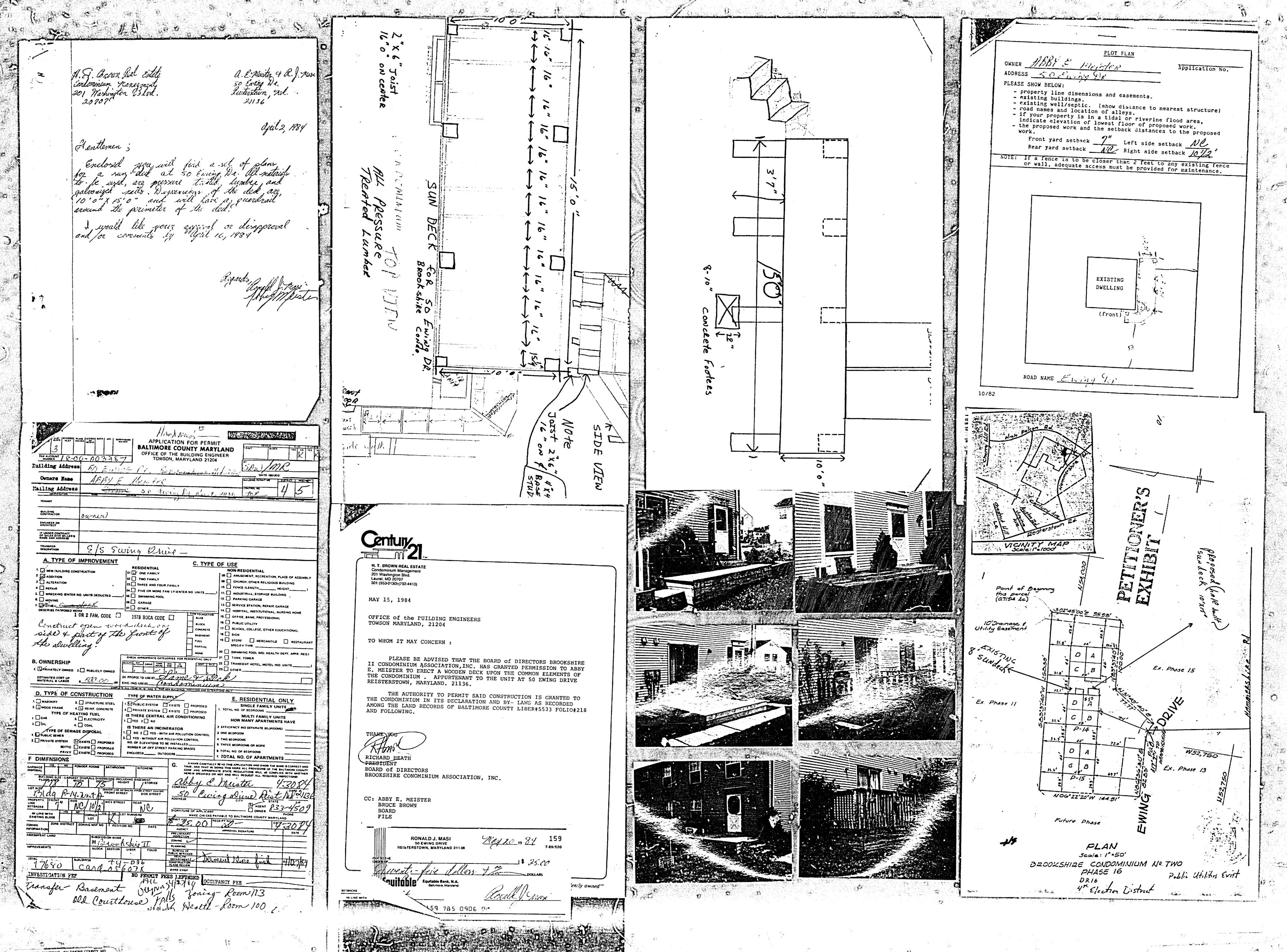
Per Long Keefer

in Reisterstown, Baltimore County, Maryland.

Zoning Compassioner of Baltimore County No. 131989 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT # 055******35001b 8085A

H. T. BROWN REAL ESTATE Condominium Management 201 Washington Blvd. Laurel, MD 20707 301 (953-0130)-(792-4410) April 27, 1984 Mr. Ronald J. Masi 50 Ewing Drive Reisterstown, Md. 21136 Dear Mr. Masi: This is to advise you that the Board of Directors of Brookshire 11, has reviewed your request and plans for the deck, and is granting you permission to proceed with construction. Very truly yours, FETITIONER'S
EXHIBIT 2

Century 7 H. T. BROWN REAL ESTATE Condominium Management 201 Washington Blvd. Laurel, MD 20707 301 (953-0130)-(792-4410) MAY 15, 1984 OFFICE of the BUILDING ENGINEERS TOWSON MARYLAND, 21204 TO WHOM IT MAY CONCERN : PLEASE BE ADVISED THAT, THE BOARD OF DIRECTORS BROOKSHIRE II CONDOMINIUM ASSOCIATION, INC., HAS GRANTED PERMISSION TO ABBY E. MEISTER TO ERECT A WOODEN DECK UPON THE COMMON ELEMENTS OF THE CONDOMINIUM. APPURTENANT TO THE UNIT AT 50 EWING DRIVE REISTERSTOWN, MARYLAND. 21136. THE AUTHORITY TO PERMIT SAID CONSTRUCTION IS GRANTED TO THE CONDOMINIUM IN ITS DECLARATION AND BY- LAWS AS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY LIBER \$5533 FOLIO \$218 AND FOLLOWING. BOARD of DIRECTORS BROOKSHIRE CONOMINIUM ASSOCIATION, INC. CC: ABBY E. MEISTER BRUCE BROWN



JAN 3 1 1985